

# **Equitable Services to Private Schools Webinar Series**

**Introduction to the Series –  
Webinar 1 of 4  
September 2013**



# The Series...

1. Introduction to the Series- specifically for LEAs currently providing equitable services to private school students

Consultation and Planning for the Next Year:

2. Intent to Participate (November)
3. Consultation and Planning (January 2014)
4. Affirmation of Consultation: Finalizing the Design (April 2014)



# In this webinar, we will...

- Discuss the changes in the roster of eligible children and the possibility of adding children to the program, as needed, depending on space and time;
- Review the current program in the private school;
- Review the process for coordinating Title I program with classroom teachers;
- Review implementation of the parental involvement program;
- Review implementation of the professional development program.



# Has the roster changed in providing Title I-A services to eligible students?

- Eligible students:
  - Reside in a participating Title I-A public school attendance area (regardless of whether the private school attended is located in the LEA)
  - Identified as failing or most at risk of failing based on multiple, educational, objective criteria
- Are the children who need the services receiving the services?
- Is there room, space, time for adding eligible students to the roster?



# Providing Services to LEP Students in Private Schools under Title III



# Steps to Identify Eligible Title III Participants

LEAs and private school officials identify LEP private school students based on the following criteria:

Responses to a PHLOTE survey, and Scores on an ELP assessment.

The private school principal provides names and grades of children who, based on parent responses to the PHLOTE survey, are potentially LEP. LEA works with designated private school staff to identify a time when LEA will administer the ELP assessment to identified private school students. The LEA shares assessment results with the private school and indicates which children have been identified as LEP.

Alternately, private school officials receives training from LEA to administer the ELP assessment.



# Identification of Eligible LEP Students

LEAs may request documentation, as needed, from private school officials to enable the LEA to identify eligible students.

Documentation requests should not pose an administrative barrier to participation.

*(Equitable Services Guidance (March 2009))*



# Reviewing the current program in the private school

- Title I-A Types of services
  - Instruction outside the regular classroom
  - Extended learning time (before/after school and in the summer)
  - Family literacy
  - Early childhood
  - Counseling
  - Home tutoring
  - Take home computers
  - Computer-assisted instruction





# Reviewing the current program in the private school

- Assessment of services
  - Services, materials, and equipment must be secular, neutral, non-ideological
  - Services must be supplemental in nature, not supplanting what the private school would otherwise provide absent the Federal education services
  - Services must be allowable, reasonable, and necessary in meeting the educational needs of Title I private school students and teachers



# Implementation of Programs for First Month – Title II-A

- Review the Private School's Title II-A Needs Assessment and Plan
- Review dates for Professional Development and/or action items on the part of the LEA (Local Education Agency) or the Private School
- Contact Private School Officials to clarify any process/procedures that will be followed to ensure accurate and timely payment of allowable Title II-A activities



# Coordinating the Title I Program with Classroom Teachers

- LEA has the responsibility to provide an instructional program that supplements and coordinates with the instruction that the private school children receive in the regular classroom;
- The Title I program should complement classroom instruction and should not be a separate instructional program;
- The Title I program must begin at the same time as the Title I program for public school participants;
  - Consultation is so important! Title I teacher, private school teachers, and LEA staff should meet and discuss the design and development of the Title I program.



# Determining Title III Services

An LEA, in consultation with appropriate private school officials, determines the appropriate Title III services based on the needs of the identified LEP private school students and their teachers or other educational personnel and the amount of funds available for such services, subject to the expenditure requirements under section 9501 of the ESEA.

The Title III services provided by the LEA for private school LEP students should be designed to meet their educational needs and supplement the educational services provided by the private school.

These services may be provided directly by the LEA or by a third-party contractor who is independent of the private school and any religious organization.

Title III services or benefits must be secular, neutral, and non-ideological.



# Title III Program Design

Consultation and coordination between LEA and private school officials are essential to ensure a high-quality program that meets the needs of the LEP students being served to assist them in attaining English proficiency.

The LEA must assess the needs of private school students and educational personnel in designing a program that meets their needs.

If their needs are different from those of public school students and educational personnel, the LEA, in consultation with private school officials, must develop a separate program design that is appropriate for their needs.



# Title III Services – Types of Activities

Administration of English language proficiency (ELP) assessment for identification and/or for the purpose of evaluating the effectiveness of services (test booklets, teacher training, stipends to teachers to administer assessments);

Participation in district-sponsored professional development (PD), or PD organized specifically to meet the needs of the private school teachers;

Tutoring for students before, during, or after school hours;  
Participation of private school LEP students in summer school;  
and

Purchase of supplemental instructional materials and supplies.



# Title I-A Reservation of Funds

- LEAs must provide equitable participation from some funds reserved under §200.77:
  - §1118 – parent involvement funds
  - §1119 – professional development funds
  - District wide instructional activities in Title I schools



# Implementing a Parental Involvement Program

- LEAs have a responsibility to provide parent involvement activities to the parents of private school participants;
- The LEA set-aside for parent involvement activities is calculated from the reserved funds based on the proportion of private school children from low-income families residing in participating public school attendance areas;
- Activities must be planned and implemented after meaningful consultation with private school officials and parents;
  - Activities include parent meetings; parent compacts; annual meeting; parent-teacher conferences and an individual student report on the performance of the participating student on the state assessment or an appropriate alternative assessment; parent training activities including how to work at home with their children; and reasonable access to Title I staff.





# Title III Parent Notification

The Title III parent notifications in section 3302 of the ESEA do not apply to parents of LEP students in private schools.

However, LEA and private school officials may wish to discuss as part of timely and meaningful consultation how parents will be made aware of Title III services provided by the LEA.



# Implementing Title I-A Professional Development

- If the LEA reserves funds off the top of its Title I allocation to carry out professional development activities, the LEA must also provide equitable services to teachers of private school participants from this set-aside
  - Set-aside for equitable services is calculated in proportion to the number of private school children from low-income families residing in participating public school attendance areas;
  - Activities for the private school teachers must be planned and implemented based on meaningful consultation with private school officials and teachers;
  - Activities may be used to support ongoing training and professional development to assist teachers in carrying out Title I-A (9101(34)).



# Implementing Title I-A Professional Development

- Title I funds may be used to pay stipends to private school teachers of Title I participants
  - Must pass the “reasonable and necessary” rule
  - Stipends are available on the same basis as those for public school teachers
  - Stipends must be paid directly to the private school teachers for their own use and NEVER to the private school.



# Implementing Title I-A Professional Development

- LEA also provides professional development activities to the Title I teacher who is employed by the LEA and is providing equitable services to private school students;
- This professional development is paid from the funds reserved for the professional development of the LEA's teachers and not from the funds required to provide equitable services to teachers of private school participants.
- The equitable parent involvement and professional development activities are usually the responsibility of the Title I teacher who is employed by the LEA and is providing equitable services to the private school students.



# Resources for Title I-A Equitable Services

- **Resources:**
  - NCLB, Sec. 1120 *Participation of Children Enrolled in Private Schools*;
  - §200.62; §200.63; §200.64; §200.65; §200.77; §200.78;
  - U.S. Department of Education *Title I Services to Eligible Private School Children, Non-Regulatory Guidance, October 17, 2003*;
  - U.S. Department of Education *Title IX Guidance on Equitable Services to Eligible Private School Students and Teachers, Sec. 9101(34)*.



# Title III Resources

*Elementary and Secondary Education Act of 1965, (ESEA) as amended, Section 9501 (Title IX, Part E Uniform Provisions):*

<http://www2.ed.gov/policy/elsec/leg/esea02/index.html>

**EDGAR** 34 CFR 76

Education Department General Administrative Regulations - *For regulations on state administered programs, see parts 76 and 80 of EDGAR*

<http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf>

Equitable Services Guidance: Guidance on implementing equitable services for private school students and teachers for those programs governed by the Title IX uniform provisions under the Elementary and Secondary Education Act. (March 2009)

<http://www2.ed.gov/policy/elsec/guid/equitableserguidance.doc>



# Implementation of the Professional Development Plan – Title II-A

- **May Title II, Part A funds be used to pay for professional development for private school principals and superintendents?**
  - **Yes.**
    - Section 2123(a)(6) allows for professional development to “improve the quality of principals and superintendents.”
    - Professional development must be secular, neutral and non-ideological in nature.



# Implementation of the Professional Development Plan – Title II-A

- **May an LEA use Title II, Part A funds to write a reimbursement check to a private school?**
  - **No.**
    - LEAs must maintain control over the funds and expend funds for professional development services on behalf of the private school teachers.
    - LEAs may reimburse an individual private school teacher or principal for pre-approved professional development.





# Implementation of the Professional Development Plan – Title II-A

- **May an LEA place a blanket restriction on allowable Title II, Part A activities for private school teachers, such as not allowing graduate courses or out-of-State professional development?**
  - **No.**
    - While an LEA or SEA may choose to set restrictions on otherwise allowable Title II, Part A activities for **public** school teachers, it can't determine that for private school teachers.
    - Professional development must be allowable, reasonable and necessary in meeting the needs of private school teachers.



# Implementation of the Professional Development Plan – Title II-A

- **What resources are available to help me understand the Title II, Part A equitable services requirements?**
  - U.S. Department of Education *Improving Teacher Quality State Grants, ESEA Title II, Part A, Non-Regulatory Guidance, Revised October 5, 2006* (see section G, pages 47-55).
  - U.S. Department of Education *Title IX Guidance on Equitable Services to Eligible Private School Students and Teachers*.
  - *ONPE listserv for announcements about upcoming webinars on ESEA equitable services.*



# Implementation of the Professional Development Plan – Title III

- Private school teachers delivering instruction to private schools English Learners ELs within their own school are not required to meet highly qualified standards. Nonetheless, such teachers may receive professional development to better meet the needs of their EL students.
- All professional development must be directed toward assisting the private school teacher or other educational personnel – paraprofessionals are eligible – to meet the needs of program-eligible children, not simply to improve their overall teaching ability. For example, it would be inappropriate to use Title III funds to train private school teachers in general training such as classroom management or use of grade book software.



# Complaints

If private school officials believe timely and meaningful consultation has not occurred, they should discuss this with the LEA, then, if needed, with the SEA.

In the event the issue is unresolved, private school officials have the right to file a formal written complaint to the SEA.

A formal complaint must include: a statement that a violation of the equitable services requirement has taken place, the facts on which the statement is based, and the signature of the complainant.



*(Equitable Services Guidance (March 2009))*

# Contact Information

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  - Christina Nava, Coordinator
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# Questions?

Please e-mail your questions to:

Teresa A. Burgess at  
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These questions will be forwarded to the appropriate program coordinator to be answered individually, AND the questions will be featured at the beginning of webinar 2 of 4.

